

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GILBERT L. PREYER,	:	CONSOLIDATED UNDER
	:	MDL 875
Plaintiff,	:	
	:	
v.	:	
	:	
A-C PRODUCT LIABILITY TRUST,	:	
et al.,	:	
	:	E.D. Pa. Civil Action No.
Defendants.	:	2:11-cv-30906-ER

O R D E R

AND NOW, this **28th** day of **October, 2015**, upon consideration of the Motion for Summary Judgment (Judicial Estoppel) of the Thompson Hine Shipowner Defendants¹ (ECF No. 80), and for the reasons set forth in the accompanying memorandum, it is hereby **ORDERED** that the motion is:

- (1) **DENIED** as to the arguments related to judicial estoppel; and
- (2) **DENIED** as to the arguments related to the real party in interest/standing.

It is **FURTHER ORDERED**, in accordance with the accompanying memorandum, that the Clerk of this Court shall (a) make a copy

¹ These Defendants are: (1) Alcoa Steamship Company, Inc., (2) Central Gulf Lines Steamship, (3) Keystone Shipping Co., (4) Marine Transport Lines, Inc., (5) Sea-Land Service, Inc., (6) Waterman Steamship Corporation, and (7) Central Gulf Lines, Inc. (ECF No. 80-1.)

of this order and the accompanying memorandum and have said copy filed on the docket of Plaintiff's bankruptcy case in the Bankruptcy Court for the Southern District of Alabama (No. 05-bk-10630-MAM; (b) ascertain the identity of the Chapter 13 standing trustee; and (c) have served upon the trustee a copy of said order and memorandum at his/her last known address.

AND IT IS SO ORDERED.

s/ Eduardo Robreno
EDUARDO C. ROBRENO, J.